

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH JONES,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

8:08CR157

ORDER

This matter is before the court on defendant's Motion (Doc. 13) for leave to file pretrial motions out of time. The deadline expired August 19, 2008 and, by order entered August 26, 2008 the case was set for trial to commence September 29, 2008. The circumstances alleged in the proposed Motion to Suppress (see Doc. 14) do not pertain to any matter that should not have been disclosed or discovered before the August 19 deadline. Therefore, the court finds that the defendant has not shown good cause for a continuance and that the motion should be denied.

IT IS ORDERED:

1. Defendant's Motion for leave to file pretrial motions out of time (Doc. 13) is denied.
2. The Motion to Suppress (Doc. 14) and Brief (Doc. 15) are stricken as untimely filed.

Pursuant to [NECrimR 57.2](#), a party may appeal this order by filing an "Appeal of Magistrate Judge's Order" within ten (10) business days.

DATED August 27, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**